

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**THEODORE J. HENDERSON, SR. &  
ANNIE L. HENDERSON,  
Plaintiffs,**

**v.**

**THE PROPERTY SHOP, AND,  
INDIVIDUALLY, JOSEPH PETERSON,  
ET. AL.  
Defendants.**

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**CIVIL ACTION NO. 4:11-cv-849**


**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 5, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendation that Defendant's Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim (Dkt. 8) be GRANTED and that this case be dismissed with prejudice.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court. Therefore, Defendant's Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim (Dkt. 8) is GRANTED and this case shall be dismissed with prejudice.

**IT IS SO ORDERED.**

**SIGNED this the 9th day of April, 2012.**

  
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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE